

**REMARKS**

Claims 1-6 are pending in this application. By this Amendment, claims 1-4 are amended. The amendments to the claims are made for clarity. No new matter is added. A Request for Continued Examination is attached. Reconsideration of the application is respectfully requested in view of the above amendments and the following remarks.

The Office Action rejects claims 1-5 under 35 U.S.C. §102(b), or in the alternative under 35 U.S.C. §103(a), over U.S. Patent No. 5,809,444 to Hadelier et al. ("Hadelier"). The Office Action rejects claim 6 under 35 U.S.C. §103(a) over Hadelier in view of U.S. Patent No. 5,857,160 to Dickinson et al. ("Dickinson"). These rejections are respectfully traversed.

Claim 1 recites, a control system that comprises, among other features, "an operating device for operating a steering member for adjusting a steering behavior of a vehicle; and a calculating device for calculating a controlling amount for controlling the operation of the operating device, wherein the control system judges an abnormality of the operating device and an abnormality of the controlling amount, and decreases the controlling amount at a speed when the abnormality of the controlling amount was judged or when the abnormality of the operating device was judged, the speed of decreasing the controlling amount being higher when the abnormality of the controlling amount was judged than when the abnormality of the operating device was judged."

The device in claim 1 is an operating device for operating a steering member for adjusting a steering behavior of a vehicle, and the controlling amount is a controlling amount for controlling the operation of the above-mentioned particular operating device. An abnormality of the operating device for operating the steering member for adjusting the steering behavior of a vehicle can be detected immediately or without significant delay. An abnormality of the controlling amount for controlling the operation of the operating device for operating the steering member for adjusting the steering behavior of the vehicle is detectable

only as a result of a time-based integration of an improper steering control cause by the abnormal controlling amount supplied to the operating device. The subject matter of the pending claims distinguishes between the two.

Hadeler is directed to a system for controlling dynamics of a motor vehicle that has actuators for applying a braking force to the motor vehicle wheels. Hadeler discloses adjusting a control variable with the actuators within a desired range of control variables. The desired range in Hadeler is defined by two specific limit values. *See* Hadeler at col. 2, lines 23-28. The controller in Hadeler only modifies the movement of the motor vehicle if the control variable lies outside the desired range. *See* Hadeler at col. 2, lines 40-45 and 57-59. The desired range can be corrected depending on different variables, but the Hadeler device seeks to maintain the control variable within the desired range. Actuation of the brakes takes place when the control variable varies, or appears to be varying, outside the desired range. *See* Hadeler at col. 8, lines 61-65.

Hadeler does not disclose differentiating between abnormalities of the claimed operating device for operating a steering member and abnormalities in the claimed controlling amount for controlling the operation of the operating device. Thus, Hadeler also does not disclose decreasing the controlling amount at a speed that is higher when the abnormality of the controlling amount was judged compared to when the abnormality of the operating device was judged.

As noted above and as explained in Applicants' specification, when an abnormality occurs in the operating device that is a steering angle adjusting device used in the behavior control of a vehicle, control is ceased (ended) by decreasing the controlling amount at a relatively moderate speed properly adjusted to the speed at which the abnormality comes out in the results of control, whereas when an abnormality occurs in the controlling amount due

to an abnormality of the calculating portion, the control is ceased (ended) by decreasing the controlling amount at a relatively high speed (*See* specification at page 13, lines 1-12).

The recited control system appropriately deals with an abnormality of the claimed operating device and an abnormality of the claimed controlling amount. This may be critical in controlling the vehicle when an abnormality occurs. An abnormality of the claimed operating device for operating a steering member for adjusting a steering behavior of a vehicle can be detected immediately without delay. An abnormality of the controlling amount for controlling the operation of the operating device for operating a steering member for adjusting a steering behavior of a vehicle takes longer to detect. Noting such a difference in the readiness of detection between an abnormality of the claimed operating device and an abnormality of the claimed controlling amount, a particular advantage of the claimed control system adjusts the speed at which the controlling amount is decreased depending on whether an abnormality is detected in the claimed operating device or in the controlling amount to account for any time delay that may occur in the detection of the abnormality of the controlling amount.

Hadeler does not disclose or render obvious claim 1 features, and does not recognize the unforeseen benefits achieved by the subject matter of the pending claims. Particularly, Hadeler does not disclose or render obvious varying the speed of decreasing a controlling amount to be higher when the abnormality of the controlling amount was judged compared to when the abnormality of the operating device was judged. Rather, Hadeler merely teaches adjusting a control variable within a desired range of control variables.

For at least the foregoing reasons, Hadeler does not anticipate, and would not have rendered obvious, claim 1. Claims 2-5 are patentable for reasons similar to claim 1. Further, and because Dickinson fails to make up for the above-identified shortfall in Hadeler, dependent claim 6 also is patentable.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-6 under 35 U.S.C. §102(b) and §103(a) are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Michael J. Steger  
Registration No. 66,034

JAO:MJS/aea

Enclosure:  
Request for Continued Examination

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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

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